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8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE DISTRICT OF NEVADA**

11 DR. FRANCIS JONES,

12 Plaintiff,

13 vs.

14 THE STATE OF NEVADA EX REL.  
15 BOARD OF REGENTS FOR THE  
16 NEVADA SYSTEM OF HIGHER  
17 EDUCATION ON BEHALF OF THE  
18 UNIVERSITY OF NEVADA, LAS VEGAS  
SCHOOL OF DENTAL MEDICINE; DOES  
1-10, AND ROE CORPORATIONS 1-10,  
INCLUSIVELY,

19 Defendants.  
20

**Case No.: 2:16-cv-00949-RFB-NJK**

**DEFENDANT'S REQUEST TO  
VACATE AND RESCHEDULE EARLY  
NEUTRAL EVALUATION**

21 Defendant, the State of Nevada ex rel. Board of Regents of the Nevada System of Higher  
22 Education on behalf of the University of Nevada, Las Vegas School of Dental Medicine (“**SDM**”),  
23 by and through counsel, Elda M. Sidhu, Esq., General Counsel, and Debra L. Pieruschka, Esq.,  
24 Assistant General Counsel, University of Nevada, Las Vegas School of Dental Medicine, Office of  
25 General Counsel, hereby submits, for good cause, its request to vacate and reschedule the Early  
26 Neutral Evaluation (“**ENE**”) set for August 17, 2016 at 9:30 a.m.

27 This case relates to allegations of race and retaliation discrimination at SDM. A key  
28 representative of SDM whose presence is essential to improving the ENE session and addressing

1 Plaintiff's allegations and SDM's defenses is Dr. Karen West, Dean of SDM. Upon receipt of the  
 2 Order Scheduling the ENE, Dean West advised she is unable to change her schedule as the Court  
 3 requested because she is out of the country in Scotland from August 16, 2016 through August 24,  
 4 2016 on personal business. Dean West is unable to cancel this already scheduled and booked  
 5 engagement.

6 As such, SDM respectfully requests this Court, for good cause, vacate and reschedule the  
 7 ENE for any time after August 25, 2016 through the end of September 2016, except for September  
 8 7-9, 2016 (pre-existing engagement in New York for Dr. Michael Sanders, another key  
 9 representative of SDM) and September 16, 2016 (white coat ceremony for first year dental  
 10 students requiring all SDM faculty to be present).

11 Based on the foregoing, SDM submits good cause exists and requests this Court reschedule  
 12 the ENE to ensure the presence of key individuals to support the utility and purpose of the ENE  
 13 session.

14 DATED: JUNE 28, 2016.

16 /S/ DEBRA L. PIERUSCHKA

17 ELDA M. SIDHU

18 General Counsel

19 Nevada Bar No. 7799

20 DEBRA L. PIERUSCHKA

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*Attorneys for Defendant*

23 **IT IS ORDERED** that the ENE currently scheduled for August 17, 2016, is **VACATED**  
 24 and **CONTINUED** to September 15, 2016, at 1:30 p.m., in Chambers, Room 3071.

25 **IT IS FURTHER ORDERED** that confidential ENE statements are due to Chambers,  
 26 Room 3071, no later than 4:00 p.m., September 8, 2016.

27 **IT IS FURTHER ORDERED** that all other instructions within the original Order  
 28 Scheduling ENE (ECF No. 15) shall remain as is.

Dated: July 6, 2016

  
 Peggy A. Leen  
 United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 28TH day of JUNE, 2016, I served the foregoing  
**DEFENDANT'S REQUEST TO VACATE AND RESCHEDULE EARLY NEUTRAL  
EVALUATION** via the Court's CM/ECF Filing System, to the following:

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/S/ SHEENA M. CLOW  
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